

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

LOWEY DANNENBERG COHEN,
P.C., in its capacity as account holder of, and
party with interest in, the REZULIN
SETTLEMENT FUND,

Plaintiff,

- vs -

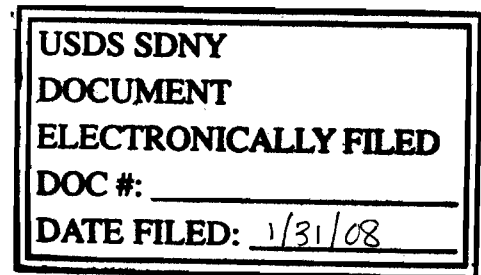
JAMES R. DUGAN, II, STEPHEN B.
MURRAY d/b/a THE MURRAY LAW FIRM,
RAWLINGS AND ASSOCIATES, PLLC,
GREG MURPHY, MORAIN & MURPHY, LLC,
WALLACE JORDAN RATLIFF & BRANDT,
LLC, ELWOOD S. SIMON & ASSOCIATES,
P.C., KERSHAW, CUTTER & RATINOFF,
LLP, BERMAN DEVALERIO PEASE
TABACCO BURT & PUCILLO, MARK
FISCHER, GEORGE RAWLINGS, SHIPMAN
& GOODWIN, LLP

Defendants.

Case No. 08 Civ. 0461 (LAK)

HONORABLE LEWIS A. KAPLAN

ECF CASE



[PROPOSED] ORDER TO RELEASE PLAINTIFF'S \$500,000 SECURITY

WHEREAS, Plaintiff, Lowey Dannenberg Cohen, P.C. (formerly known as Lowey Dannenberg Bemporad Selinger & Cohen, P.C.) ("Lowey Dannenberg"), in its role as account holder of, and party with interest in, Citibank Account No. 009977643705, titled "Lowey Dannenberg Bemporad Selinger & Cohen, P.C. as Attorneys for the Rezulin Settlement Fund" (the "Fund"), deposited \$500,000 with the registry of this Court pursuant to the Order to Show

Cause dated January 17, 2008 entered by the Honorable Kenneth M. Karas and Rule 65(c) of the Federal Rules of Civil Procedure;

WHEREAS, on January 24, 2008, this Court granted Plaintiff's motion to deposit the Fund with the Clerk of the Court;

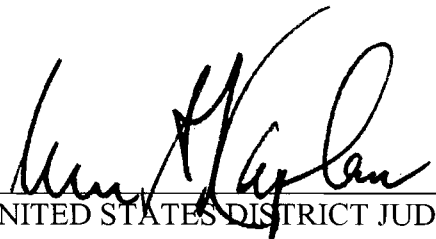
WHEREAS, on January 25, 2008, Plaintiff deposited the entire Fund, consisting of \$4,560,588.47, in the registry of the Court;

WHEREAS, based upon the deposit of the entire Fund with the registry of the Court, there being no further need for a security pursuant to Rule 65(c) of the Federal Rules of Civil Procedure;

NOW THEREFORE, IT IS HEREBY ORDERED ADJUDGED AND DECREED

The Clerk of the Court for the Southern District of New York shall release and return to Plaintiff its \$500,000 security, plus all accrued interest, less any statutory fee, upon entry of this Order.

Dated: New York, New York
January 31, 2008


UNITED STATES DISTRICT JUDGE